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Executive Registry
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9 September 1982

MEMORANDUM FOR: Director of Central Intelligence

FROM:

[REDACTED]
Deputy General Counsel

25X1

SUBJECT: Upcoming Meeting with the Intelligence Oversight Board

1. This memorandum provides background information in connection with your meeting with the Intelligence Oversight Board on 13 September.

2. As you are aware, the Board consists of a Chairman, who currently is W. Glenn Campbell and two members, Charles Tyroeler and Charles Jarvis Meyers. The Board is supported by a Counsel, a position currently held by Robert F. Turner. Under Executive Order 12334, the Board is responsible for apprising the President and Attorney General of unlawful intelligence activities, reviewing internal intelligence agency guidelines, reviewing the practices of General Counsels and Inspectors General for discovering unlawful intelligence activities and conducting appropriate investigations.

3. Relationships with this Board and its Counsel have been cordial. Turner has communicated the Board's desire to be helpful and constructive in assisting intelligence agencies in ensuring that intelligence activities are not challenged as unlawful. Turner has been particularly impressed with the Agency's efforts to educate employees as to the requirements of Executive Order 12333 and its implementing procedures. We invited Turner to attend a recent one-day intensive course on this subject given by my Office.

4. Turner advises that your meeting should be considered a courtesy call and that the Board has no particular agenda or issues in mind to raise with you. He recognizes,

however, potential for issues to arise spontaneously in the course of the meeting and that among these issues could be the following:

a. Wilson-Terpil. Turner advises that you could get a general question regarding your views as to what controls should be placed on post-employment activities of intelligence personnel.

b. Counterintelligence. Turner indicated that the FBI Director Webster will be meeting with the Board prior to your meeting and that counterintelligence issues will be raised with him. It is possible that Webster's discussions may stimulate a follow-up question for you.

c. Reporting Obligations of the DCI. A recent exchange of correspondence between you and the IOB established agreement that (1) unless the President specifically instructs that the Board not be informed, Agency heads are obligated to report to the IOB intelligence activities which are thought to be unlawful or contrary to Executive Order or Presidential Directive and which are not brought to the attention of the General Counsel or Inspector General, and that (2) a separate annual report from you or another Agency head is not required. The Board is pleased with your agreement on these issues and make note of it during your meeting.

d. Reporting Obligation of the Inspector General and the General Counsel. In another recent exchange of correspondence, between Turner and the General Counsel, we did not accept his proposition that the qualification upon the obligation of the Inspector General and the General Counsel to report to the Board "to the extent permitted by law," found in E.O. 12334, does not mean that an agency may withhold information otherwise reportable to the Board because of its classification or sensitivity. We explained that although the phrase in the Order was not added, to our knowledge, in anticipation that your statutory obligation to protect intelligence sources and methods would be used to justify not reporting, and we have not had occasion to use your statutory obligation in such a manner nor have we any current intention to do so, we cannot conclude that your statutory obligation would not be relevant to the reporting obligation. Although this response is not what Mr. Turner expected, he has indicated in further discussions that that position would be acceptable if it meant that if we were statutorily prohibited from reporting to the Board, we would report the matter to the President. Although this matter is not likely to arise during your meeting, you should be aware of it.

f. Nugan Hand. Turner currently is pursuing press allegations that CIA was involved in the Nugan Hand Merchant Bank, an Australian firm that went into liquidation two years ago after its co-founder, Frank Nugan, was found shot to death. When police searched Nugan's pockets, they found the business card of William Colby. There is no evidence that CIA was involved in this turn of events. Turner has checked with the Inspector General, and this matter is not likely to come up at the meeting.

5. If you have any questions regarding these matters, please advise.



cc: Deputy Director of Central Intelligence
Inspector General